IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

Bail Appl..No. 1045 of 2007()

CC.1907/2002 of CHIEF JUDL.MAGISTRATE, ERNAKULAM
CRIME NO.561/00 OF ERNAKULAM CENTRAL POLICE STATION

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PETITIONER :

SHANAVAS P.I.,
PUTHENPURAKKAL HOUSE,
PONNARIMANGALAM,
MULAVUKADU P.O.,
ERNAKULAM.

BY ADV. SRI.P.P.THAJUDEEN

RESPONDENTS:

STATE OF KERALA
(REP. BY S.I. OF POLICE,
CENTRAL POLICE STATION,
ERNAKULAM) REPRESENTED
BY PUBLIC PROSECUTOR,
HIGH COURT, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.02.2007, THE COURT ON 15/02/2007 PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1045 OF 2007

Dated this the 15th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the first accused in Crime No.561/2000 of Ernakulam Central Police Station for offences punishable under Sections 143, 147, 341, 324 and 427 read with section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.1907/2002 on the file of the CJM, Ernakulam, non-bailable warrants of arrest have been issued against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Chief Judicial Magistrate, Ernakulam and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably, on the same day on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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